

<b>RESPONSE TO RESTRICTION REQUIREMENT</b>	Application #	10/520,657
	Confirmation #	5186
	Filing Date	June 30, 2005
	First Inventor	GREF
	Art Unit	1615
	Examiner	Palenik, Jeffrey T.
	Docket #	P08535US00/BAS

Commissioner for Patents  
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S I R:

In response to the Restriction Requirement dated December 4, 2007, Applicants submit the following response.

In the Restriction Requirement, the Examiner alleged that the present application includes claims drawn to one of three inventions:

Group I, claims 1-15 and 24, drawn to an aqueous composition of a polymer/polysaccharide dispersion of particles;

Group II, claims 16-20, drawn to a method of making said aqueous composition;  
and

Group III, claims 21-23, drawn to methods of using said composition.

Further, it was alleged that the claims were directed to more than one species of the generic invention.

Contrary to the Examiner's assertion, all claims pending in the present application should be examined in the present case. Claim 1 is a linking claim which unifies all claims in the present application to a single general inventive concept, namely an aqueous composition of a polymer/polysaccharide dispersion of particles. Applying the unity of invention standard under 37 C.F.R. § 1.141, unity of invention is met if the claims are drawn to a product, the use of that product and a method of manufacturing

that product. In the present application, as acknowledged by the Examiner, Group I is directed to an aqueous composition of a polymer/polysaccharide dispersion of particles, Group II is drawn to a method of making that aqueous composition, and Group III is drawn to a method of using the composition of claims 1-15 and 24. Therefore, there is unity of invention among the claims of Groups I, II and III, as corresponding to a product, a method of making the composition and a method of using the composition.

Further, although it was alleged that U.S. Patent No. 6,048,736 teaches methods of preparing compositions of cyclodextrin polymers for carrying and delivering drugs in a controlled manner, Applicants respectfully submit that, upon a complete examination, it will be determined that the subject matter claimed is novel and non-obvious in view of the cited prior art. In any event, all claims should be examined, as there is unity of invention among all pending claims, in accordance with 37 C.F.R. § 1.141, as acknowledged by the Examiner as being drawn to an aqueous composition, a method of making that aqueous composition and a method of using that composition.

Furthermore, with regard to the common technical feature of Groups I, II and III, all groups relate to a specific auto-association of the cyclodextrin polymers of the G-graft polymers which are used in the process of Group II, which allows the synthesis of the compounds of Group I, which underlines the properties implemented in the methods of Group III. Moreover, the process of Group III necessarily leads to the generation of the compositions of Group I, and the compositions of Group I cannot be obtained any other way.

In view of the foregoing, Applicants respectfully request that the Restriction Requirement be withdrawn. Notwithstanding the foregoing, and in order to make the

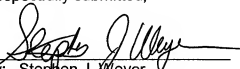
response to the Restriction complete, Applicants respectfully elect Group I, claims 1-15 and 24, and the species identified below, with traverse.

With regard to election of species, Applicants respectfully elect the Groups (G) of claim 7: C<sub>12</sub> aliphatic groups;

for the polymer association species of claim 9, Applicants respectfully elect the first association reciting claim 9, namely polymers (A), having from 18 to 1,000  $\beta$ -cyclodextrin units/polysaccharides, and (B), a molecular mass of between 6,000 and 70,000 graft by C<sub>12</sub> aliphatic groups and a hydrophobic substitution rate of 3 to 5%.

Respectfully submitted,

Date: January 29, 2008

  
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